

REMARKS

With this paper, Applicants have amended claims 1, 15-17 and 20 and added new claims 27 and 28. Claims 1-5, 7, 9-10 and 12-28 are pending. Reconsideration of this application, as amended, is requested.

Allowable Claims

Claims 12-16 and 26 are allowed. These claims are allowable because the prior art references fail to disclose, at least, a filter assembly with a fuel cell, the filter assembly having a cylindrical particulate filter having cellulose material and fine fiber, along with the other recited features.

Amended Claims

Claim 1 has been amended to recite that the cylindrical particulate filter comprises cellulosic material and fine fiber. Claims 2-5, 7, 9-10 and 25 depend, either directly or indirectly from claim 1.

Claims 15 and 16 have been amended to be consistent with previously amended claim 12.

Claim 17 has been amended to recite that the particulate filter comprises cellulosic material and fine fiber. Claims 18-19 depend from claim 17.

Claim 20 has been amended to recite that the particulate filter is cylindrical and comprises cellulosic material and fine fiber. Claims 21-24 depend from claim 20.

New Claims

New claims 27 and 28 are provided. New independent claim 27 is similar to allowed claim 12, reciting a fuel cell system comprising a filter assembly and a fuel cell, the filter assembly comprising a cylindrical particulate filter comprising cellulose media and fine fiber, and a chemical filter as recited.

Double Patenting

Claims 1-5, 7, 9, 17-20 and 25 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over various claims of U.S. Patent No. 6,638,339 (Dallas et al.) in view of U.S. Patent No. 5,626,820 (Kinkead et al.).

Claims 1-5, 7, 9 and 17-26 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over various claims of U.S. Patent 6,432,177 (Dallas et al.) in view of U.S. Patent No. 5,626,820 (Kinkead et al.).

Applicants will submit a Terminal Disclaimer, if necessary, when the claims are in final form.

103 Rejections

Claims 1-3, 7, 9, 17-23 and 25 were rejected under 35 U.S.C. 103(a) as being unpatentable over JP '177 in view of Kinkead et al. Claims 4, 5 and 24 were rejected as unpatentable over JP '177 in view of Kinkead et al. and further in view of Berger et al., U.S. Patent No. 3,217,715. Claim 10 was rejected as unpatentable over JP '177 in view of Kinkead et al. and further in view of Nakanishi et al., U.S. Patent No. 4,595,642.

Applicants contend that, at least, in view of the amendments made to the claims and described above, the claims are allowable. The combination of the four cited references, JP 60-054177, Kinkead et al., Berger et al., Nakanishi et al. is lacking, at least, of a filter assembly for use with a fuel cell that has a cylindrical particulate filter having cellulose media and fine fiber.

Withdrawal of these rejections is requested.

SUMMARY

In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

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